

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

RICHARD DASCHBACH  
*individually and on behalf of all  
others similarly situated,*

Plaintiff,

v.

ROCKET MORTGAGE, LLC,

Defendant.

**CASE NO. 1:22-cv-00346-JL**

November 29, 2022

**ROCKET MORTGAGE, LLC’S MOTION TO COMPEL  
ARBITRATION AND DISMISS**

In his First Amended Complaint (the “FAC”), Plaintiff Richard Daschbach (“Plaintiff” or “Daschbach”) alleges that Rocket Mortgage, LLC (“Rocket Mortgage”) violated the Telephone Consumer Protection Act (“TCPA”), 47 U.S.C. § 227 et seq. and N.H. Rev. Stat. Ann. § 359-E:8, by making purported calls and sending purported text messages to his cellphone. Rocket Mortgage moves to compel Daschbach’s claims to arbitration and dismiss Plaintiff’s First Amended Complaint pursuant to the Federal Arbitration Act (“FAA”), 9 U.S.C. § 1 et seq., because they are subject to multiple, binding and enforceable arbitration agreements.

Pursuant to Local Rule 7.1(d), Rocket Mortgage requests oral argument on this Motion because argument will provide Rocket Mortgage the opportunity to answer any questions or clarify any issues raised by the Court regarding the Motion.

WHEREFORE, Rocket Mortgage respectfully requests that the Court enter and Order:

A. Scheduling Oral Argument on this Motion;

- B. Granting Rocket Mortgage's Motion to Compel Arbitration and Dismiss; and
- C. Granting such further relief as the Court finds just, equitable and appropriate.

Respectfully Submitted,

By Its Attorneys,

/s/ W. Kyle Tayman

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November 29, 2022

**CERTIFICATE OF SERVICE**

I, W. Kyle Tayman, certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on November 29, 2022.

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